UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	V	
JUSTIN HAUTAU and ANDREA BABCOCK, Plaintiffs,	; ; ;	ORDER
<b>V.</b>	:	22 CV 1012 (VB)
GOLDBERG & DONOVAN INC.,  Defendant.	:	

On February 4, 2022, plaintiffs commenced this action against defendant Goldberg & Donovan Inc. (Doc. #1). On March 14, 2022, plaintiffs docketed proof of service on defendant on March 11, 2022. (Doc. #5). Accordingly, the deadline for defendant to answer, move, or otherwise respond to the complaint was April 1, 2022. See Fed. R. Civ. P. 12(a)(1)(A)(i). However, on April 7, 2022, plaintiffs filed an amended complaint, which does not appear to have been served on defendant.

By April 22, 2022, plaintiffs shall serve the amended complaint on defendant. Defendant's time to respond to the amended complaint is extended to 21 days after the amended complaint is served.

On April 7, 2022, the Pro Se Intake Unit received a document from defendant by mail, which shall be filed to the docket as an attachment to this Order, purporting to proceed <u>pro se</u> and seeking dismissal of plaintiffs' claims. However, defendant is a corporation, and a corporation may not appear in federal court without counsel. <u>See Lattanzio v. COMTA</u>, 481 F.3d 137 (2d Cir. 2007). Accordingly, the Court will not consider defendant's submission.

Defendant is ORDERED to obtain counsel, and such counsel shall file an appearance in this action, by April 29, 2022.

Chambers will mail a copy of this Order to defendant at the following address:

Goldberg & Donovan Inc. 197 Main Street Suite 202 Milford, MA 01757

Dated: April 8, 2022 White Plains, NY

SO ORDERED:

Vincent L. Briccetti

United States District Judge

# RECEIVED SDNY PRO SE OFFICINITED States District Court 2022 APR - 7 PM 3: 43 For the

Southern District of New York

Justin Hautau and Andrea Babcock,

case 7:22-cv-01012

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Goldberg and Donovan Inc.

Judge Broderick,

I'm asking for a dismissal of this case on the grounds that at no time have FDCPA 15U.S.C 1692 HAVE BEEN VIOLATED. With this letter, I shall provide proof showing NO violations were committed. On 8/26/2021 a standard LETTER OF DEMAND was mailed to Mr. Hautau. A copy of the letter is included in the package. A letter of demand is to inform the debtor of the debt and to allow them opportunity to resolve or dispute the matter that has gone unresolved for over 60 days.

On 9/14/2021 Goldberg and Donovan's office received a call from Andrea Babcock.

Mrs. Babcock was asked for an account number, after getting the account information Babcock was informed that Goldberg & Donovan needed permission in writing or a call from the debtor (Justine Hautau) to verify his identity and give permission to release the information to Mrs. Babcock, the call ended. Mrs. Babcock called back and stated that Justin Hautau (DEBTOR) was hired to do a job at her home, again Mrs. Babcock was informed that the debtor Mr. Hautau needed to make contact with Goldberg & Donovan in order to speak with her (Mrs. Babcock) call ended. Attached to this letter is the invoice sent from Sunbelt rentals showing the balance of \$ 541.88 and image of a 1500 – 2100 skid steer.

This is the balance from the unpaid deductible including the taxes due to total loss as shown on Sunbelt invoice.

Line 7 & 15 on the Allegations states that Mrs. Babcock paid the bill on behalf of Justin Hautau. As of 03/30/2022 the bill has not been paid.

I ask that this case against Goldberg and Donovan be dismissed on the basis that none of the FDCPA guideline have been violated nor have Goldberg & Donovan have had contact with the debtor Justin Hautau other than the Letter of Demand.

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Goldberg & Donovan 197 Main Street, Suite 203 Milford MA 01757

Tel: (508) 634-0450

Toll Free: 877-973-2687

Office Hours: M-F 9 a.m. - 5 p.m.

Date: 3/29/2022

JUSTIN HAUTAU 26 MILE RD MONTABELLO, NY 10901

IN RE:

Account Name.: JUSTIN HAUTAU AMOUNT DUE: \$541.88

SSN: 083-84-0038

Our File No.: 82300-60533

Account submitted by: SUNBELT RENTALS-Cnsmr Div

Dear JUSTIN HAUTAU:

The above noted account has been referred to us for collection. We would like to provide you with the opportunity to dispute this matter or resolve it with payment forwarded to the address below.

Unless you notify this office in writing within 30 days of this notice date that you dispute the validity of this debt or any portion thereof, this office will assume the debt is VALID. Verification of the debt, a copy of any judgements against you and the name and address of the original creditor, if different from above, will be provided to you if we receive your written dispute.

To remedy this default, restitution of payment for the above referenced "Amount Due" must be made to this office for proper credit, to hold harmless, and to cancel our representation without claim.

Please do not hesitate to contact this office directly should you have any questions. Immediate payment in full will resolve this default and stop any further collection activity that may be initiated by my client. This correspondence is from our debt collection office and any information obtained will be used for that purpose.

Thank you, Goldberg & Donovan

Mail payment to:

Goldberg & Donovan, Inc. 197 Main Street, Suite 203 Milford, MA 01757

Payable to: SUNBELT RENTALS-Cnsmr Div Payment Due: Upon Receipt

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File No: 82300-60533 Name: JUSTIN HAUTAU

Original Balance: 541.88

Current Interest Rate: \$0.00 (suspended pending payment)

Balance Due: 541.88

Amount Enclosed: \$

Checks made payable to: SUNBELT RENTALS-Cnsmr Div

Mail Payment to:

c/o GOLDBERG & DONOVAN, INC.

197 MAIN STREET, SUITE 203, MILFORD MA 01757



#### INVOICE

SEND ALL PAYMENTS TO: SUNBELT RENTALS, INC. PO BOX 409211 ATLANTA, GA 30384-9211

ACCOUNT NUMBER NY 855265445 Hydisedate 11/08/20	NVOICE NUTABLE	10768885140001
HV016EUATE 1.7/09/20		
		***
	HANDICE DALE	17/09/20 Rage: 1

INVOICE TO

HAUTAU, JUSTIN 26 MILE RD MONTABELLO, NY 10901

JOB ADDRESS

**RESIDENCE:26 MILE RD:MONTEBELLO** 

RESIDENCE 26 MILE RD

MONTEBELLO, NY 10901 3913

C#: 845-376-9780 J#: 845-376-9780

RECEIVED BY

GONTRACT NUMBER 107569951

PURCHASE ORDER NUMBER TOTAL LOSS RPP

JOB NUMBER

BRANCH 0785

SPRING VALLEY NY PC786

**77 ROUTE 59** 

SPRING VALLEY, NY 10977 5250

845-356-3900

Oty Equipment #

Price

Amount

414.150

55751.99

10111363 CC: 048-0530 55751.99 1500-2100LB TRACK SKIDSTEER CAB Year: 2018 Mi/Hr: Make: BOBCAT Model: T550 Serial #: AJZV22841 SKIDSTEER 1900LB TRK, BOBCAT, T550, DSL, JOYS, CAB, HEAT, BLOC, ALRM

SALES ITEMS:

Qty 1 RPL Item number

Unit

EA 55251.990

RENTAL PROTECTION COVERAGE TOTAL LOSS

55251.99-

ATTENTION \*\* Amount uncollected: 541.88

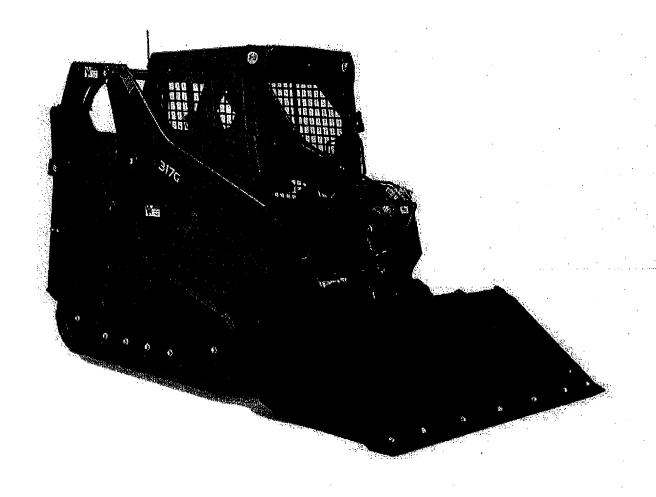
500.00

**NET DUE UPON RECEIPT** 

**EQUIPMENT SALE** 

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SUBT	GTAL.		<b>5</b> 0	0,0	đ
TAX			4	1.6	<b>/8</b>
INVO	CE TOTAL		54	1.8	8

CONTENT TO A CONTENT OF THE



Cat Class: 048-0530

#### 1500-2100lb Track Skidsteer Cab

Skid-Steer Loaders combine the maneuverability of a skid-steer with the traction and flotation of a track loader for improved performance on soft, muddy and loose ground. They feature rubber tracks that allow operation on improved surfaces without damage. The skidsteer has a 68" low profile bucket and a selection of attachments are available.

- Low Profile Bucket Included
- Selection of Attachments Available
- Heavy Duty

## Goldberg & Donovan, Inc Debt Collection Services

Toll Free: 877-9-Recoup (877-973-2687)
27 Highland Street • Milford, Massachusetts 01757
WWW.GoldbergandDonovan.com